# IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF IOWA CENTRAL DIVISION

M.G. WALDBAUM COMPANY, d/b/a Michael Foods Egg Products Company,	)	No. 4:15-cv-187
Plaintiff, v.	) )	COMPLAINT
HAWKEYE PRIDE EGG FARMS, LLP,	) )	
Defendant.	)	

Plaintiff, M.G. Waldbaum Company, d/b/a Michael Foods Egg Products Company, for its Complaint against Defendant, Hawkeye Pride Egg Farm, LLP, states as follows:

#### **PARTIES**

- 1. Plaintiff, M.G. Waldbaum Company, d/b/a Michael Foods Egg Products Company ("Michael"), is a Nebraska corporation with its principal place of business in Minnetonka, Minnesota.
- 2. Defendant, Hawkeye Pride Egg Farms, LLP ("Hawkeye"), is an Iowa limited liability partnership with its principal place of business in Corwith, Iowa and a chief executive office in Des Moines, Iowa.

#### **JURISDICTION AND VENUE**

- 3. Subject matter jurisdiction is vested in this Court pursuant to 28 U.S.C. § 1332 because there is complete diversity of citizenship between the parties and the amount in controversy exceeds \$75,000, exclusive of interest and costs.
  - 4. This Court has personal jurisdiction over Hawkeye.

5. Venue is proper in this District pursuant to 28 U.S.C. § 1391.

### FACTUAL BACKGROUND

- 6. On or about January 27, 2014, Michael and Hawkeye entered into a confidential contract, a copy of which will be marked as Exhibit A and filed under seal. The provisions of Exhibit A are incorporated herein by reference.
- 7. An affidavit of Terry Baker will also be filed under seal, and marked as Exhibit B. The provisions of Exhibit B are incorporated herein by reference.

## **BREACH OF CONTRACT**

- 8. Michael has complied with all of the terms of the contract.
- 9. Hawkeye is in breach of the contract.
- 10. Hawkeye's breach of the contract will cause Michael to suffer substantial harm.

  Under the present circumstances, such harm will be irreparable.

WHEREFORE, Michael respectfully requests (a) preliminary and permanent injunctive relief enjoining Hawkeye from breaching the contract, (b) judgment against Hawkeye and damages in an amount sufficient to compensate Michael for Hawkeye's breach, (c) interest and costs, and (d) all other relief deemed appropriate under the circumstances.

/s/ Mark A. Schultheis

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